

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON FISH AND GAME

Call to Order: Chairman Gregory D. Barkus, on February 3, 2009 at 3:00 P.M., in Room 422 Capitol.

ROLL CALL

Members Present:

Sen. Gregory D. Barkus, Chairman (R)
Sen. John Brenden, Vice Chairman (R)
Sen. Joe Balyeat (R)
Sen. Debby Barrett (R)
Sen. Jim Shockley (R)
Sen. Joseph (Joe) Tropila (D)

Members Excused:

Sen. Steven Gallus (D)
Sen. Larry Jent (D)
Sen. Trudi Schmidt (D)

Members Absent: None.

Staff Present: Lindsey Hern, Committee Secretary
Hope Stockwell, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 213, 2/27/2009

Executive Action: SB 162; SB 163; SB 228

HEARING ON SB 213

Opening Statement by Sponsor:

00:01:41 Sen. Keith Bales (R), SD 20, opened the hearing on SB 213, Require FWP plan to manage wildlife to prevent disease transmission.

EXHIBIT(fis25a01)

00:03:38 Sen. Schmidt came to the committee.

00:04:32 Sen. Gallus came to the committee.

Proponents' Testimony:

00:07:12 Chris Smith, Deputy Director, Fish Wildlife and Parks

EXHIBIT(fis25a02)

00:14:53 Jay Bodner, Montana Stockgrowers Association, (MSA)

00:18:42 Ariel Overstreet, Montana Cattle Women Association (MCWA)

00:20:27 Chuck Denowh, United Property Owners of Montana (UPOM)

00:22:04 Nancy Schlepp, Montana Farm Bureau Federation (MFBF)

00:22:22 Aeric Reilly, Montana Wool Growers Association (MWGA)

Opponents' Testimony:

00:23:54 Janet Ellis, Montana Audubon

00:25:32 Ben Lamb, Montana Wildlife Federation (MWF)

Informational Testimony:

00:26:26 Christian Mackay, Executive Officer, Montana Department of Livestock

Questions from Committee Members and Responses:

00:27:08 Sen. Balyeat

00:27:40 Sen. Bales

Closing by Sponsor:

00:28:37 Sen. Bales

Additional Exhibits:

00:30:48 Chairman Barkus

EXHIBIT(fis25a03)

00:31:47 Recess

EXECUTIVE ACTION ON SB 162

Sen. Brenden left the committee.

00:43:42 **Motion:** Sen. Barrett moved that **SB 162 DO PASS.**

Discussion:

00:44:02 Sen. Barrett

00:46:23 Chairman Barkus

00:46:38 **Motion:** Sen. Barrett moved that **SB 162 BE AMENDED.**
EXHIBIT(fis25a04)

Discussion:

00:46:57 Sen. Barrett

00:47:20 Hope Stockwell, Legislative Service Division (LSD)

00:48:39 Sen. Shockley

00:49:07 Chairman Barkus

00:49:10 Sen. Schmidt

00:49:23 Sen. Barrett

00:49:55 Sen. Schmidt

00:50:17 Mr. Smith, FWP

00:50:58 **Vote:** Motion that **SB 162 BE AMENDED** carried
unanimously by voice vote. Sen. Brenden voted by proxy.
Sen. Jent excused.

00:51:36 **Motion:** Sen. Shockley moved **SB 162 AS AMENDED.**

Discussion:

00:51:53 Sen. Gallus

00:55:01 Sen. Balyeat

00:56:49 Chairman Barkus

00:56:53 Sen. Gallus

00:57:07 Mr. Smith, FWP

00:57:39 Chairman Barkus

00:58:13 Mr. Smith, FWP

01:00:15 Sen. Shockley

01:00:18 Chairman Barkus

01:00:25 Sen. Shockley

01:00:49 Mr. Smith, FWP

01:01:22 Sen. Balyeat

01:02:58 Mr. Smith, FWP

01:04:52 Sen. Balyeat

01:06:01 Sen. Gallus

01:06:09 Sen. Balyeat

01:06:39 Sen. Gallus
 01:07:07 Sen. Balyeat
 01:07:18 Sen. Barrett
 01:09:19 Sen. Balyeat
 01:09:30 Mr. Smith, FWP
 01:10:55 Sen. Balyeat
 01:11:59 Mr. Smith, FWP
 01:12:58 Chairman Barkus
 01:13:12 Sen. Gallus
 01:13:38 Chairman Barkus
 01:14:26 Sen. Barrett
 01:15:11 Sen. Balyeat

01:16:41 **Vote:** Motion that **SB 162 DO PASS AS AMENDED** carried 5-4 by roll call vote with Sen. Gallus, Sen. Jent, Sen. Schmidt, and Sen. Tropila voting no. Sen. Brenden and Sen. Jent voted by proxy.

EXECUTIVE ACTION ON SB 163

01:17:56 **Motion:** Sen. Barrett moved that **SB 163 DO PASS.**

Discussion:

01:18:14 Sen. Balyeat
 01:18:23 Sen. Barrett
 01:19:55 Sen. Shockley
 01:20:24 Sen. Barrett
 01:21:28 Sen. Shockley
 01:21:39 Chairman Barkus
 01:21:57 Sen. Shockley
 01:22:01 Chairman Barkus

01:22:03 **Motion/Vote:** Sen. Balyeat moved that **SB 163 BE AMENDED.** Motion carried unanimously by voice vote. Sen. Brenden and Sen. Jent voted by proxy.

EXHIBIT(fis25a05)

01:24:54 **Motion:** Sen. Balyeat moved **SB 163 AS AMENDED.**

Discussion:

01:25:31 Sen. Gallus
 01:27:10 Sen. Barrett
 01:28:27 Sen. Gallus
 01:29:08 Sen. Balyeat
 01:30:36 Sen. Barrett
 01:31:02 Sen. Shockley

01:31:48 **Vote:** Motion that **SB 163 DO PASS AS AMENDED** failed 4-5 by roll call vote with Sen. Balyeat, Sen. Barkus, Sen. Barrett, and Sen. Brenden voting aye. Sen. Brenden and Sen. Jent voted by proxy. Chairman Barkus without objection, reversed the vote and tabled the bill.

EXECUTIVE ACTION ON SB 228

01:33:07 **Motion:** Sen. Barrett moved that **SB 228 DO PASS.**

Discussion:

01:33:15 Sen. Barrett
01:33:18 Sen. Shockley
01:33:30 Sen. Barrett
01:33:36 Chairman Barkus
01:33:40 Sen. Shockley
01:33:43 Sen. Barrett

EXHIBIT(fis25a06)

01:37:04 **Motion:** Sen. Shockley moved that **SB 228 BE AMENDED.**

EXHIBIT(fis25a07)

Discussion:

01:38:20 Sen. Balyeat
01:38:31 Chairman Barkus
01:38:37 Sen. Shockley
01:38:47 Sen. Balyeat
01:38:53 Sen. Shockley

01:39:13 **Vote:** Motion that **SB 228 BE AMENDED** carried 8-1 by voice vote with Sen. Barrett voting no. Sen. Brenden and Sen. Jent voted by proxy.

Discussion:

01:39:38 Sen. Barrett
01:39:51 Sen. Shockley
01:39:59 Chairman Barkus
01:40:02 Sen. Shockley

01:40:17 **Vote:** Chairman Barkus requested a roll call vote for previous motion that **SB 226 BE AMENDED.** Motion Carried 8-1 with Sen. Barrett voting no. Sen. Brenden and Sen. Jent voted by proxy.

01:40:57 **Motion:** Sen. Shockley moved **SB 228 DO PASS AS AMENDED.**

Discussion:

01:41:04 Sen. Shockley

01:41:09 **Vote:** Motion that **SB 228 DO PASS AS AMENDED** carried
unanimously by roll call vote. Sen. Brenden and Sen.
Jent voted by proxy.

01:41:52 Chairman Barkus

01:42:01 Sen. Shockley

01:42:06 Sen. Balyeat

01:42:14 Chairman Barkus

ADJOURNMENT

Adjournment: 4:43 P.M.

Lindsey Hern, Secretary

lh

Additional Documents:

EXHIBIT ([fis25aad.pdf](#))